

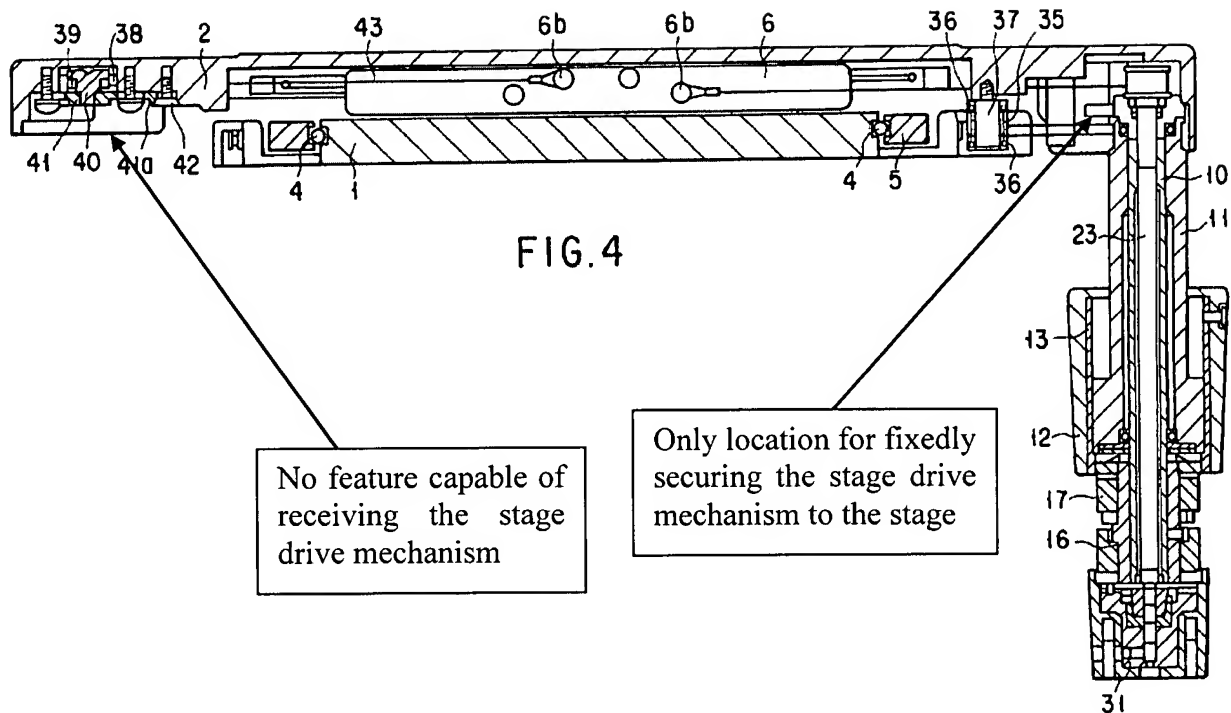
Remarks/Arguments

The Rejection of Claims 16-17 and 23 Under 35 USC § 103

The Examiner rejected Claims 16-17 and 23 under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,369,940 (*Nishida et al.*) in view of United States Patent No. 4,097,116 (*Kuroha*). Applicants respectfully traverse this rejection and request reconsideration for the following reasons.

Applicants courteously submit that although *Nishida et al.* teach a microscope stage, *Nishida et al.* fail to teach a microscope stage having a hole on each of the left and right sides of the stage and a stage drive mechanism detachably securable to the microscope stage via either the hole on the left side or the hole on the right side of the stage. Further, Applicants respectfully assert that as the stage drive mechanism may be detachably secured within either the left or right hole, it necessarily follows that both the left and right holes must be arranged to receive the stage drive mechanism, or else the stage drive mechanism could not be detachably secured to either the left or right side.

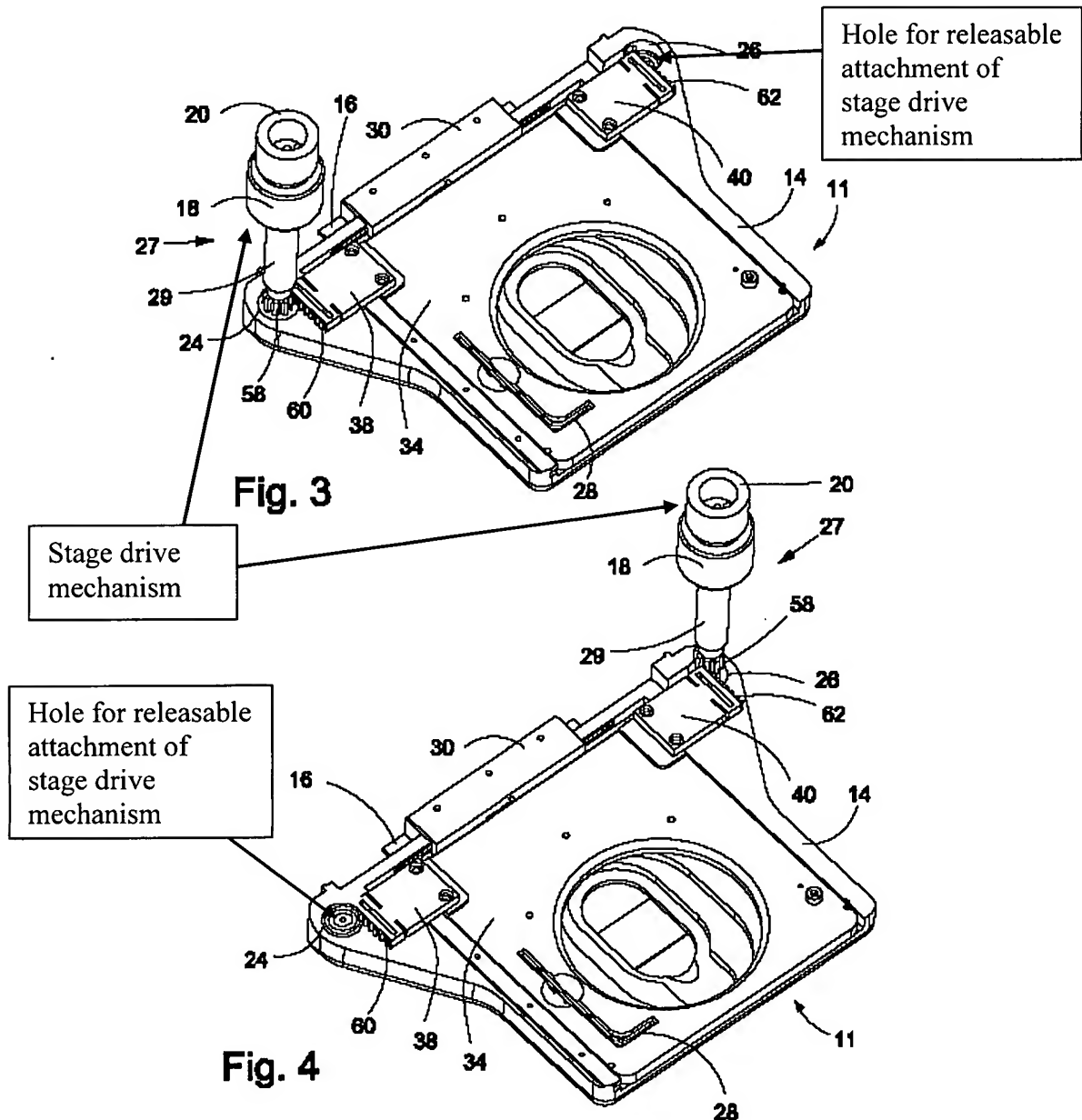
Applicants respectfully assert that upper stage 2 of *Nishida et al.* includes only a single location for securing a stage drive mechanism, *e.g.*, the stage drive mechanism which includes handle shaft 11. Furthermore, hollow fixing shaft 10 which supports two handle shafts, *i.e.*, the stage drive mechanisms, **is fixed on upper stage 2.** (*Nishida et al.*, Col. 4, Line 66 through Col. 5, Line 1). Applicants courteously submit that fixing a stage drive mechanism to a stage, as taught by *Nishida et al.*, is quite different than detachably securing a stage drive mechanism to a stage, as recited in Applicants' Claim 16. Moreover, as can be seen in Figure 4 below, upper stage 2 contains only one location for fixedly securing fixing shaft 10, and therefore the microscope stage of *Nishida et al.* is wholly inadequate for both detachably securing a stage drive mechanism thereto and for detachably securing a stage drive mechanism to either the left or right side of upper stage 2.



Nishida et al. Fig. 4

Contrarily, Applicants teach a microscope stage having a stage drive mechanism detachably securable to a hole on the left side or a hole on the right side of the stage. More specifically, Applicants recite that the “stage drive mechanism [is] detachably securable to said microscope stage to the left or right side of said stage,” and that the “drive mechanism is detachably secured to said stage by inserting an end of said drive mechanism in one of said holes at said right or left side of said stage.” Applicants respectfully assert that one of ordinary skill in the art would recognize that as the drive mechanism may be detachably secured within either the left or the right hole, both the left and the right holes must be arranged to receive the drive mechanism. Thus, Applicants disclose that “[d]rive 27 is arranged to be detachably secured to the underside of stage 14 in a plurality of locations to accommodate use by a right hand or a left hand.” (Instant Application, Paragraph [0020]). In the configuration shown in Figure 3 below, “drive 27 is detachably secured within mounting hole 24,” while in the configuration shown in

Figure 4 below, “drive 27 is detachably secured within mounting hole 26.” (Instant Application, Paragraphs [0021] and [0022]). As can be appreciated in view of the claims, figures and specification, both holes located on the left and the right side of the stage are capable of receiving drive mechanism 27.



Applicants Figs. 3 and 4

Furthermore, *Kuroha* does not cure the defects of *Nishida et al.* regarding the elements of Claim 16 that are not taught or disclosed by this reference. Applicants courteously submit that *Kuroha* teaches a stage drive mechanism which includes coarse and fine adjustments in both the Y- and X-directions, however fails to teach a microscope stage having a hole on each of the left and the right sides of the stage and a stage drive mechanism detachably securable to the microscope stage via either the hole on the left side or the hole on the right side of the stage as recited in Applicants' Claim 16, and described in Applicants' specification.

In order to establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. In addition, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

Hence, as independent Claim 16 contains elements that are not disclosed in the cited references, it follows that Claim 16 is patentable over *Nishida et al.* in view of *Kuroha*. Dependent Claims 17 and 23 contain all of the limitations of independent Claim 16, due to their dependency therefrom. Thus, as Claim 16 is non-obvious in view of *Nishida et al.* and *Kuroha* due to the missing elements, it necessarily follows that Claims 17 and 23 are also non-obvious in view of *Nishida et al.* and *Kuroha*, due to their dependency from Claim 16.

Accordingly, withdrawal of the rejections of Claims 16-17 and 23 under 35 U.S.C. § 103(a) is appropriate and respectfully requested.

The Rejection of Claims 20 and 22 Under 35 USC § 103

The Examiner rejected Claims 20 and 22 under 35 U.S.C. § 103(a) as being unpatentable over *Nishida et al.* in view of *Kuroha*. Applicants respectfully traverse this rejection and request reconsideration for the reasons set forth above and the following reasons.

As described *supra*, *Nishida et al.* and *Kuroha* fail to teach all the elements of Applicants' Claim 16. Hence, as independent Claim 16 contains elements that are not disclosed in the cited references, it follows that Claim 16 is patentable over *Nishida et al.* in view of *Kuroha*. Dependent Claims 20 and 22 contain all of the limitations of independent Claim 16, due to their dependency therefrom. Thus, as Claim 16 is non-obvious in view of *Nishida et al.* and *Kuroha*, due to the missing elements, it necessarily follows that Claims 20 and 22 are also non-obvious in view of *Nishida et al.* and *Kuroha*, due to their dependency from Claim 16.

Accordingly, withdrawal of the rejections of Claims 20 and 22 under 35 U.S.C. § 103(a) is appropriate and respectfully requested.

The Rejection of Claims 19 and 21 Under 35 USC § 103

The Examiner rejected Claims 19 and 21 under 35 U.S.C. § 103(a) as being unpatentable over *Nishida et al.* in view of *Kuroha* as applied to Claim 16 above, and further in view of United States Patent No. 5,802,925 (*Kanao*). Applicants respectfully traverse this rejection and request reconsideration for the reasons set forth above and the following reasons.

As described *supra*, *Nishida et al.* and *Kuroha* fail to teach all the elements of Applicants' Claim 16. Furthermore, *Kanao* does not cure the defects of *Nishida et al.* and *Kuroha*, *i.e.*, *Kanao* fails to teach a microscope stage having a hole on each of the left and the right sides of the stage and a stage drive mechanism detachably securable to the microscope stage via either the hole on the left side or the hole on the right side of the stage, as recited in Applicants' Claim 16. Applicants courteously submit that although *Kanao* teaches a microscope stage, there is no teaching, suggestion or motivation to include a hole on the left and the right side of the stage, or a releasably securable stage drive mechanism, and as such, it does not follow that *Kanao* teaches the missing elements of the invention not recited in *Nishida et al.* and *Kuroha*.

Attorney Docket No. LEAP:125US
U.S. Patent Application No. 10/810,773
Reply to Office Action of May 30, 2007
Date: July 30, 2007

Hence, as independent Claim 16 contains elements that are not disclosed in the cited references, it follows that Claim 16 is also patentable over *Nishida et al.* in view of *Kuroha* and further in view of *Kanao*. Dependent Claims 19 and 21 contain all of the limitations of independent Claim 16, due to their dependency therefrom. Thus, as Claim 16 is non-obvious in view of *Nishida et al.* and *Kuroha*, and further in view of *Kanao* due to the missing elements, it necessarily follows that Claims 19 and 21 are also non-obvious in view of *Nishida et al.* and *Kuroha*, and further in view of *Kanao*, due to their dependency from Claim 16.

Accordingly, withdrawal of the rejections of Claims 19 and 21 under 35 U.S.C. § 103(a) is appropriate and respectfully requested.

Conclusion

Applicants respectfully submit that the present application is in condition for allowance, which action is courteously requested. The Examiner is invited and encouraged to contact the undersigned attorney of record if such contact will facilitate an efficient examination and allowance of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Atkinson', with a long horizontal line extending to the right.

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